REMARKS

This Amendment and Response to Non-Final Office Action is being submitted in response to the non-final Office Action mailed October 4, 2006. Claims 1, 7, and 9-21 are pending in the Application. Claims 1, 7, and 9-21 stand rejected.

Specifically, Claim 1 stands rejected under 35 U.S.C. 112, second paragraph, as being indefinite, due to use of the phrase "as having."

Claims 1, 7, 9-10, 13-14, and 18 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Judd et al. (U.S. Patent No. 5,465,251) in view of Saleh et al. (U.S. Patent No. 6,801,496).

Claim 12 stands rejected under 35 U.S.C. 103(a) as being unpatentable over Judd et al. and Saleh et al. in view of "Official Notice."

Finally, Claims 15-17 and 19-21 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Judd et al. and Saleh et al. as applied to Claims 14 and 18, and further in view of "Official Notice."

In response to these rejections, the Claims have been amended herein, without prejudice or disclaimer to continued examination on the merits. These amendments are fully supported in the Specification, Drawings, and Claims of the Application and no new matter has been added. Based upon the amendments, reconsideration of the Application is respectfully requested in view of the following remarks.

Rejection to Claim 1 Under 35 U.S.C. 112, Second Paragraph:

Claim 1 stands rejected under 35 U.S.C. 112, second paragraph, as being indefinite, due to use of the phrase "as having."

Claim 1 has been amended to recite, in relevant part:

"an identifier field containing an identifier, wherein the identifier indicates whether the message packet contains relative address protocol information;"

Thus, the indefinite phrase "as having" has been omitted.

Therefore, Applicant submits that the rejection of Claim 1 under 37 U.S.C. 112, second paragraph, as being indefinite has now been overcome and respectfully requests that this objection be withdrawn.

Rejection of Claims 1, 7, 9-10, 13-14, and 18 Under 35 U.S.C. 103(a) - Judd et al. and Saleh et al.:

Claims 1, 7, 9-10, 13-14, and 18 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Judd et al. (U.S. Patent No. 5,465,251) in view of Saleh et al. (U.S. Patent No. 6,801,496).

Examiner states that the following elements of Claim 1 (and similar elements in Claims 14, and 18) are taught by Judd et al.:

a relative source address field programmed with an initial value (0h) at the source node corresponding to a destination node that is a preselected number of nodes away

from the source node along the linear chain network (col. 2, lines 3-18, 32-41; col. 6, lines 33-55; col. 7, lines 64-67; col. 8 lines 43-50), and

a relative destination address field containing a counter and a directional code corresponding to a port of the source node from which the message packet is to be sent along the linear chain network (col. 2, lines 3-18, 32-41; col. 6, lines 33-55, 38-41, 53-55; col. 7, lines 51-67; col. 8 lines 43-50).

Applicant respectfully disagrees. Judd et al. do not teach or suggest both a relative source address field and a relative destination address field, each with their respective features and attributes as defined in the claim elements. Further, Examiner's combination of Judd et al. and Saleh et al. do not teach or suggest all the claim limitations of Applicant's invention.

"To establish *prima facie* evidence of obviousness of a claimed invention, all of the claim limitations must be taught or suggested by the prior art." (*In re Royka*, 490 F.2d 981, 180 USPQ 580 (CCPA 1974). Additionally, "All words in a claim must be considered in judging the patentability of that claim against the prior art." (*In re Wilson*, 424 F.2d 1382, 1385, 165 USPQ 494, 496 (CCPA 1970). Furthermore, "In determining the differences between the prior art and the claims, the question under 35 U.S.C. 103 is not whether the differences themselves would have been obvious, but whether the claimed invention as a whole would have been obvious. (*Startoflex, Inc. v. Aeroquip Corp.*, 713 F.2d 1530, 218 USPQ 871 (Fed. Cir. 1983); *Schneck v. Norton Corp.*, 713 F.2d 782, 218 USPQ 698 (Fed. Cir. 1983)).

As the language of Claim 1 (or Claims 14 or 18) is reviewed as a whole, it is clear that ***both a relative source address field*** programmed with an initial value at the source node corresponding to a destination node that is a preselected number of nodes away from the source node along the linear chain network ***and a relative destination address***

field containing a counter and a directional code corresponding to a port of the source node from which the message packet is to be sent along the linear chain network are disclosed.

Examiner has used citations within Judd et al. describing an "address field" (see generally, Col. 6, lines 33-35; Figures 6A, 6B) to assert that the "address field" of Judd et al. is the relative source address field of the present invention and is also the relative destination address field of the present invention. As the claims are read as a whole, it is clear that there are two address fields in the present invention, each having a specific function and purpose. Judd et al., however, only teach an address field (*singular*) that is used to "route the frame over a selected path to a destination node."

Independent Claim 1 is recited here to point out the existing elements defining both address fields:

> An address protocol for forwarding a message packet from a source node to a destination node along a sequence of communicatively coupled nodes functioning as a linear chain network, the address protocol comprising:
>
> ***a relative source address field programmed with an initial value at the source node corresponding to a destination node that is a preselected number of nodes away from the source node along the linear chain network;***
>
> ***a relative destination address field containing a counter and a directional code corresponding to a port of the source node from which the message packet is to be sent along the linear chain network***;
>
> wherein the counter is incremented by a preselected step in value at each node the message packet is forwarded to along the chain network until the counter reaches the initial value, thereby indicating that the destination node has been reached;
>
> an identifier field containing an identifier, wherein the identifier indicates whether the message packet contains relative address protocol information; and

wherein the destination node does not require address information in addition to the counter reaching the initial value to accept the message packet.

Neither Judd et al. nor Saleh et al., nor a combination of the two, teach or suggest these limitations.

The present invention discloses a message packet in which there is a relative destination address field and a relative source address field. The relative destination address field includes a counter for counting the number of nodes that the message packet has encountered, or hopped, from the source node and a directional code corresponding to the port from which the message packet is sent to along the chain. The relative source address field includes an initial value of the preselected number of node hops since this information provides a destination node with a relative return address back to the source node.

Neither Judd et al. nor Saleh et al. teach or suggest the use of both a relative destination address field and a relative source address field. Additionally, neither Judd et al. nor Saleh et al. teach or suggest a directional code corresponding to the port from which the message packet is sent to along the chain, or the combination of such with the counter for counting the number of nodes that the message packet has encountered.

Although Judd et al. teach a one-to-six byte, always present address field (Col. 6, lines 18-19 and Figure 6A), and although the address field is used to route the frame (Col. 6, lines 19-20), Judd et al. do not teach or suggest the use of both a relative destination address field and a relative source address field, as does the present invention.

Additionally, Examiner states that the claim limitation "an identifier field containing an identifier to identify the message packet as having a relative address protocol" is taught by Judd et al. at col. 6, lines 14-15. Applicant respectfully disagrees.

The limitation "an identifier field containing an identifier to identify the message packet as having a relative address protocol" in Claim 1 has been amended to recite:

> ***"an identifier field containing an identifier, wherein the identifier indicates whether the message packet contains relative address protocol information"***

This amendment addresses Examiner's concern under 35 U.S.C. 112, second paragraph, as discussed above. Similar amendments have been made to Claims 14 and 18.

Although ***Judd et al.*** disclose an always-present, one-byte control field (Col. 6, lines 14-15), this ***control field merely indicates a frame type and a sequence number***. A frame type specifies a standard that defines the physical structure of the packet. ***The identifier field of the present invention, however, specifically provides identification that the message packet is using the relative address protocol.***

Thus, Applicant submits that Claims 1, 14, and 18 now recite elements/limitations not taught or suggested by Judd et al., Saleh et al., or any combination thereof. Therefore, Applicant submits that the rejection of Claims 1, 14, and 18, as well as dependent Claims (2-4), 7, 9, 10, and 13, under 35 U.S.C. 103(a) as being unpatentable over Judd et al. in view of Saleh et al. has now been overcome and respectfully requests that this rejection be withdrawn.

Rejection of Claim 12 Under 35 U.S.C. 103(a) - Judd et al., Saleh et al., and "Official Notice":

Claim 12 stands rejected under 35 U.S.C. 103(a) as being unpatentable over Judd et al. and Saleh et al. in view of "Official Notice."

The above arguments apply with equal force to dependent Claim 12. Therefore, Applicant submits that the rejection of Claim 12 under 35 U.S.C. 103(a) as being unpatentable over Judd et al. and Saleh et al. in view of "Official Notice" has now been overcome and respectfully requests that this rejection be withdrawn.

Rejection of Claims 15-17 and 19-21 Under 35 U.S.C. 103(a) - Judd et al., Saleh et al., and "Official Notice":

Claims 15-17 and 19-21 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Judd et al. and Saleh et al. as applied to Claims 14 and 18, and further in view of "Official Notice."

The above arguments apply with equal force to dependent Claims 15-17 and 19-21. Therefore, Applicant submits that the rejection of Claims 15-17 and 19-21 under 35 U.S.C. 103(a) as being unpatentable over Judd et al. and Saleh et al. as applied to Claims 14 and 18, and further in view of "Official Notice" has now been overcome and respectfully requests that this rejection be withdrawn.

CONCLUSION

Applicant would like to thank Examiner for the attention and consideration accorded the present Application. Should Examiner determine that any further action is necessary to place the Application in condition for allowance, Examiner is encouraged to contact undersigned Counsel at the telephone number, facsimile number, address, or email address provided below. It is not believed that any fees for additional claims, extensions of time, or the like are required beyond those that may otherwise be indicated in the documents accompanying this paper. However, if such additional fees are required, Examiner is encouraged to notify undersigned Counsel at Examiner's earliest convenience.

Respectfully submitted,

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